



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 09-1223

Released: June 1, 2009

NOTICE OF NON-STREAMLINED DOMESTIC SECTION 214 APPLICATION GRANTED

WC Docket No. 09-39

Pursuant to section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and sections 0.91, 0.291, and 63.03 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 63.03, the Wireline Competition Bureau (Bureau) approves the application of USD CLEC, Inc., Debtor-in-Possession (USD CLEC), and Warwick Valley Mobile Telephone Company d/b/a WVT Business Communications (Warwick) for authority for Warwick to acquire certain assets of USD CLEC.¹ No commenters opposed grant of the application.

The Bureau finds, upon consideration of the record, that the proposed transfer will serve the public interest, convenience, and necessity and, therefore, grants the requested authorization.² Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the consent granted herein is effective upon the release of the Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

For further information, please contact Tracey Wilson-Parker at (202) 418-1394, Competition Policy Division, Wireline Competition Bureau.

- FCC -

¹ *Domestic Section 214 Application Filed for the Acquisition of Assets of USD CLEC, Inc., Debtor-in-Possession, by Warwick Valley Mobile Telephone Company*, WC Docket No. 09-39, Public Notice, DA 09-758 (rel. Apr. 2, 2009). On April 27, 2009, the Bureau removed this application from streamlining for further consideration of the transaction. *Notice of Removal of Domestic Section 214 Application from Streamlined Treatment*, WC Docket No. 09-39, Public Notice, DA 09-916 (rel. Apr. 27, 2009).

² *See Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, CC Docket No. 01-150, Report and Order, 17 FCC Rcd 5517, 5533, para. 30 (2002).